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By: **Delegates Owings, Barve, Bobo, Bronrott, V. Clagett, Feldman, Frush,  
Goldwater, Gutierrez, Kach, Lee, Madaleno, Moe, Montgomery,  
Morhaim, and Stern**

Introduced and read first time: February 6, 2003

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources - Hunting - Private Property**

3 FOR the purpose of requiring in all counties and for all game that a person must  
4 obtain written permission from certain persons before the person may perform  
5 certain hunting-related acts on private property; requiring a landowner to make  
6 certain postings before certain persons may perform certain hunting-related  
7 acts on private property; clarifying that certain hunting restrictions apply to  
8 certain private land; establishing that a landowner may take certain action to  
9 revoke hunting privileges on private property; altering certain penalties for a  
10 violation of certain restrictions on hunting on private property; establishing that  
11 the penalties for a violation of certain restrictions on hunting on private  
12 property apply statewide; requiring the Department of Natural Resources to  
13 revoke the hunting license and deny for up to a certain period the hunting  
14 privileges of a person who violates certain restrictions on hunting on private  
15 property; requiring the district court to give certain notification to the  
16 Department under certain circumstances; requiring certain persons to produce  
17 certain documents on request; clarifying certain language; and generally  
18 relating to hunting on private property.

19 BY repealing

20 Article - Natural Resources  
21 Section 10-411  
22 Annotated Code of Maryland  
23 (2000 Replacement Volume and 2002 Supplement)

24 BY adding to

25 Article - Natural Resources  
26 Section 10-411  
27 Annotated Code of Maryland  
28 (2000 Replacement Volume and 2002 Supplement)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article - Natural Resources**

4 [10-411.

5 (a) Except as otherwise provided, a person may not come to hunt upon any  
6 pretense whatever on lands owned by another person without the permission of the  
7 landowner or the landowner's agent or lessee. Any person hunting on private property  
8 shall be liable for any damage he causes to the private property while hunting. The  
9 landowner is not liable for accidental injury or damage to the person, whether or not  
10 the landowner or the landowner's agent or lessee gave the permission to hunt.

11 (b) (1) A person may not upon any pretense come to hunt on the lands owned  
12 by another person without the written permission of the landowner or the  
13 landowner's agent or lessee. Any person hunting on this private property is liable for  
14 any damage the person causes to the private property while hunting on the private  
15 property. The landowner may not be liable for accidental injury or damage to the  
16 person whether or not the landowner or the landowner's agent gave permission to  
17 hunt on the private property.

18 (2) The provisions of this subsection apply only in the following counties:

- 19 (i) Allegany County;
- 20 (ii) Anne Arundel County;
- 21 (iii) Baltimore County;
- 22 (iv) Calvert County;
- 23 (v) Carroll County;
- 24 (vi) Cecil County;
- 25 (vii) Charles County;
- 26 (viii) Frederick County;
- 27 (ix) Garrett County;
- 28 (x) Harford County;
- 29 (xi) Howard County;
- 30 (xii) Montgomery County;
- 31 (xiii) Prince George's County;
- 32 (xiv) St. Mary's County; and

1 (xv) Washington County.

2 (c) In Allegany, Anne Arundel, Baltimore, Carroll, Charles, Garrett,  
3 Frederick, Wicomico, Somerset, Howard, or Worcester counties, a person may not  
4 enter or trespass upon land owned by another person for the purpose of hunting deer  
5 on the land with gun, rifle, bow and arrow, or any other means without first securing  
6 the written permission of the landowner or the landowner's agent or lessee. Any  
7 person hunting deer on land owned by another person shall exhibit written  
8 permission upon the request of any Natural Resources police officer, any law  
9 enforcement officer, the landowner, or the landowner's agent or lessee. The Natural  
10 Resources police officer or any law enforcement officer shall arrest any person  
11 hunting without written permission upon the request of the landowner or the  
12 landowner's agent or lessee.

13 (d) In Anne Arundel, Caroline, Carroll, Cecil, Frederick, Howard, Kent, Prince  
14 George's, Queen Anne's, Talbot, and Washington counties, a person who hunts with a  
15 gun or other weapon upon the lands of another without first obtaining written  
16 permission from the owner or possessor of the land is guilty of a misdemeanor, and  
17 upon conviction of a first offense is subject to a fine not exceeding \$1,000. Upon  
18 conviction of a second or subsequent offense, the person is subject to a fine not  
19 exceeding \$2,000.]

20 10-411.

21 (A) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, ON  
22 LAND OWNED BY ANOTHER PERSON OR WATER FLOWING OVER OR STANDING ON  
23 LAND OWNED BY ANOTHER PERSON, A PERSON MAY NOT:

24 (I) HUNT;

25 (II) ALLOW A DOG TO HUNT OR PURSUE A BIRD OR MAMMAL;

26 (III) FOLLOW OR RECOVER PREVIOUSLY SHOT GAME; OR

27 (IV) RETRIEVE A HUNTING DOG.

28 (2) A PERSON MAY PERFORM AN ACT DESCRIBED IN PARAGRAPH (1) OF  
29 THIS SUBSECTION IF:

30 (I) THE LANDOWNER OR THE AGENT OR LESSEE OF THE  
31 LANDOWNER GIVES WRITTEN PERMISSION TO THE PERSON; AND

32 (II) THE LANDOWNER HAS POSTED SIGNS THAT READ "HUNTING  
33 AND TRAPPING ALLOWED ONLY WITH WRITTEN PERMISSION OF THE OWNER" AND  
34 THAT ARE PLACED:

35 1. ALONG ALL EXTERIOR BOUNDARIES OF THE LAND AT A  
36 RATIO OF AT LEAST 10 EVENLY DISTRIBUTED SIGNS PER MILE; AND

